

REMARKS

The present invention relates to mycobacterial compositions in combination with chemotherapeutic agents for treating cancer.

Prior to this Preliminary Amendment, Claims 1-18 were pending in the present application. The parent application is U.S. Patent Application Serial No. 09/857,332, filed June 4, 2001, which is a U.S. National Phase of International Application PCT/CA99/01157 filed December 3, 1999, which was amended by Amendment Under Article 19 filed June 16, 2000, and by a Response to Written Opinion filed December 15, 2000. Applicants hereby cancel Claims 1-16, which were filed in the Response to the Written Opinion. Upon entry of the present Preliminary Amendment, Claims 17-18 will be pending in the present patent application. Applicants hereby amend the specification to reflect correct priority information. The amendments do not introduce any new matter.

Applicants respectfully request entry of the amendments and examination and consideration of the application.

CONCLUSION

Applicants respectfully assert that the claims are now in condition for allowance and request that the application be passed to issuance. If the Examiner believes that any informalities that may be corrected by Examiner's amendment remain in the case, or if there are any other issues which can be resolved by a telephone interview, a telephone call to the undersigned agent at (404) 815-6102 is respectfully solicited.

No additional fees are believed due, however, the Commissioner is hereby authorized to charge any deficiencies which may be required or credit any overpayment to Deposit Account Number 11-0855.

Respectfully submitted,

A handwritten signature in black ink, reading "Elena S. Polovnikova". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Elena S. Polovnikova, Ph.D.
Patent Agent
Reg. No. 52,130

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309-4530
(404) 815-6500
Our Docket: 02811-0152 (48498-298888)